



**BOC ACTIONS
WEDNESDAY, DECEMBER 7, 2022**

- 1.** Call to order - Mayor Cahoon called the meeting to order at 9 am. He asked everyone to keep those living in war conditions in their thoughts as the Christmas season approaches. Mayor Cahoon also stated that Comr. Brinkley was excused from today's meeting due to a previous commitment.
- 2.** Agenda – The Board approved the December 7th agenda with the postponement of item G-1 re: discussion of a proposed museum at Jockey's Ridge State Park until all Board members could be present.
- 3.** Recognition - Facilities Maintenance Technician Matt Corriera was welcomed to Town employment.

Presentation - Earl Murray Jr Employee of the Year Award – the following nominees were recognized:

- Tax Collector Linda Bittner
- Building Inspector Steve Szymanski
- Facilities Maintenance Technician Bruce Erickson
- Fire Captain Phil Wolfe
- Police Officer Christian Aguirre
- Permit Specialist Kim Thompson (unable to attend)

Mayor Cahoon announced the Earl Murray Jr Employee of the Year winner as Facilities Maintenance Technician Bruce Erickson.

4. Public Comment

Barbara Costa, Southern Shores resident; she spoke on behalf of the OBX Running Company; she asked that the Board consider a modification to the Town Code to allow running events to be held weekly instead of requiring a 25-day wait in between events.

Susie Walters, Nags Head resident; spoke re: Rogallo Foundation/Museum; she asked that the Board rescind its letter of October 20th to the State Parks as it contained inaccurate information concerning the Rogallo Foundation and potential museum at Jockey's Ridge State Park.

Donna Creef, Government Affairs Director for Outer Banks Association of Realtors; she spoke on behalf of the Board of Directors; the association is interested in initiatives that would allow multi-family structures to provide housing to support our tourism-based economy; she listed seven local positions of support that have been adopted by the association to include incentives that allow for higher density for year-round housing.

Basil Belsches, Old Nags Head Place resident; he read an article in the Coastland Times re: Dare County Board of Commissioners meeting where the Chair spoke re: affordable housing; in the area off of Hollowell St, there are no type of affordable housing units that would fit with this historic area; he noted that the Town's Planning Board is currently studying the issue to see if more appropriate zoning regulations are warranted.

Bobby Harrell, maintains an office in Nags Head; he spoke re: the need for central and affordable housing; the site on E Hollowell Street is being proposed for affordable housing by Woda Cooper; there is a definite

need for this; full-time residents/workforce live on the west side of the bypass; he spoke of housing costs that would not work for someone just moving into this area to be able to afford.

Billy Moseley, Nags Head resident; member of Friends of Jockey's Ridge Board (FOJR) for the past 20 years; he spoke on behalf of the FOJR Board of Directors; he reiterated that FOJR has issued a resolution and the State Parks Dep Director has said that JRSP is not a suitable location for the Rogallo museum – he has nothing detrimental to say re: Rogallo or Mr. Harris; he submitted this information on behalf of FOJR.

- 5.** Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:
 - Consideration of Budget Amendment #7 to FY 22/23 Budget
 - Consideration of Tax Adjustment Report
 - Approval of minutes
 - Consideration of resolution authorizing execution of a Planning & Management Grant Contract
 - Consideration of request from Dominion Energy
 - Request for Public Hearing – to consider UDO text amendments re: tree removal regulations
 - Request for Public Hearing - to consider reduction of parking spaces at TW's Bait and Tackle
- 6.** Planning Director update – Planning Director Kelly Wyatt's report was well received.
- 7.** Voluntary Septic Subscription Service Committee – the Board approved the request for changes to the Voluntary Septic Subscription Service Committee – to include name and charge – as requested. Quarterly reports to the Board were requested and a suggestion was made to ask for additional volunteers from the S Nags Head area.
- 8.** Committee reports – Comr. Sanders – Planning Director Kelly Wyatt provided an update on the Estuarine Shoreline Management Plan Committee during her monthly update to the Board.

Comr. Renée Cahoon – The Pedestrian Project Advisory Committee is moving forward and members have provided Engineer Ryan their individual lists ranking the projects - for discussion at the next committee meeting scheduled for next week.
- 9.** Boards/Committees - The following reappointments/appointment were made:

Planning Board – The Board reappointed Gary Ferguson, Kristi Wright, and Molly Harrison to additional three-year terms on the Planning Board.

Arts & Culture Committee – The Board reappointed Peggy Saporito and Kerry Oaksmith-Sanders to additional three-year terms on the Arts & Culture Committee.

Nags Head Leasing Corporation – The Board appointed Town Manager Andy Garman as a director in the Nags Head Leasing Corporation.
- 10.** FY 22-23 Street Resurfacing Project – The Board approved the FY 22-23 Street Resurfacing Project Budget Amendment in the amount of \$1,069,544 to permit the adjusted scope of project work, as requested. The Board awarded the construction bid to Fred Smith Company and authorized Town Manager Garman to execute the construction contract in the amount of \$1,786,758, as presented.
- 11.** Town Attorney Leidy reported that he and his firm are pleased to announce that Attorney Lauren Womble is joining their firm as of January 1, 2023.
- 12.** Town Manager Garman – It was Board consensus to concur with Town Manager Garman's updates and his recommendations regarding Soundside Road and Jockey's Ridge State Park to include coordinating with the Park to receive notice of upcoming events.

- 13.** Town Manager Garman – The Board approved the FY 2023/2024 Budget Calendar as presented.
- 14.** Town Manager Garman - The Board adopted the Beach Nourishment Maintenance Capital Project Ordinance amendment in the amount of \$100,000 for the sand relocation program as requested.
- 15.** Town Manager Garman – It was Board consensus that since requirements put in place for COVID have expired, written comments received prior to a Board of Commissioners meeting, not associated with a legislative or quasi-judicial public hearing, will be entered into the meeting minutes but will not be read aloud.
- 16.** Mayor Pro Tem Siers – He thanked staff that were involved in fixing last week’s Village at Nags Head watermain leak.
- 17.** Mayor Pro Tem Siers – He thanked all Town employees for doing a great job this past year.
- 18.** Mayor Cahoon - The Board approved the 2023 BOC Meeting Calendar as presented.
- 19.** Mayor Cahoon - Mayor Cahoon spoke of the upcoming Lightkeeper/Nags Header nomination process. For the benefit of the public, he encouraged and reminded everyone of this opportunity to submit nominees by April 1, 2023 – for presentation at the June 2023 Board meeting.
- 20.** Mayor Cahoon - Mayor Cahoon received concurrence from Board members to conduct the Town Manager’s annual review on January 4, 2023.
- 21.** Mayor Cahoon – He noted Mayor Medlin’s recent announcement of retirement and thanked him for his many great years of service to Surf City.
- 22.** Mayor Cahoon - The Board approved a Town employee Christmas bonus of \$150 for full-time and \$75 for part-time employees.
- 23.** Closed Session – The Board passed a motion to enter Closed Session pursuant to GS 143-318.11(a)(3) in order to consult with the Town Attorney regarding matters protected by the attorney/client privilege and to preserve that privilege, including the cases of TONH v. Cherry, Inc.; TONH v. Satterfield Landing; TONH v. Budlong; and TONH v. 205 Baltic Street. The time was 10:25 a.m. The Board re-entered Open Session at 11:05 a.m.
- 24.** Adjournment - The Board passed a motion to recess to a mid-month meeting on Wednesday, December 21, 2022 at 9 am in the Board Room. The time was 11:07 a.m.